

Appln. No.: 10/004,071
Amdt. dated January 20, 2004
Reply to Office action of November 25, 2003

REMARKS

Claims 1-4 remain in the application.

Independent claim 1 covers the gasket as shown in Figure 3 by reciting the shape of the aperture 24 being defined by outwardly curved edge portions 28 and inwardly curved edge portions 30.

Independent claim 3 specifically covers the gasket as shown in Figure 6 reciting "an angular tubular flange" 36 of a "constant radial thickness" integral with and "extending perpendicular to said plate" to a wavy outer edge varying between crests and valleys" 30 and 28.

Neither of the references, Kashmerick et al. '883 or Lieb et al. '109, remotely suggest the integral gasket blank as shown in Figure 3 and specifically claimed in claims 1 & 2.

Neither reference suggests an aperture in a gasket plate with inwardly and outwardly curved edge portions as claimed in claim 1. In addition, claim 2 recites the bolt holes 32 as being adjacent the outwardly curved edge portions 28.

Claim 3 recites the annular tubular flange as shown in Figure 6 which neither of the references suggest. The '883 patent to Kashmerick et al. does disclose a finished gasket having a gasket blank with a flange; however, that flange does not extend to a wavy edge having highs and lows. The '109 patent to Lieb et al. discloses a finished gasket similar to the finished gasket resulting from use of the subject invention but does not disclose an integral tubular flange of constant wall thickness extending to a wavy edge. Lieb et al. merely disclose a "bead" 40.

Neither of the references suggest the subject invention and neither suggest how they could be combined to provide either structure of claims 1 or 3. Furthermore, even if

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these references could be combined, the structures of claims 1 or 3 would not result.

Applicant's claims can only be rejected through hindsight.

Accordingly, it is respectfully submitted that the Application, as amended, is now presented in condition for allowance, which allowance is respectfully solicited. Applicant believes that no fees are due, however, if any become required, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 08-2789. Further and favorable reconsideration of the outstanding Office Action is hereby requested.

Respectfully submitted

HOWARD & HOWARD ATTORNEYS, P.C.

January 20, 2004

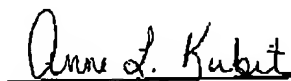
Date



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CERTIFICATE OF MAILING

I hereby certify that this Amendment for U.S. Serial No.: 10/004,071 filed October 25, 2001 is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on January 20, 2004.



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